

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

***THIS DOCUMENT RELATES TO:
ALL CASES***

MDL No. 2804

Case No. 1:17-md-2804

Hon. Dan Aaron Polster

**CERTAIN DEFENDANTS' MOTION FOR RELIEF
CONCERNING IMPROPER EXTRAJUDICIAL STATEMENTS
AND VIOLATIONS OF COURT ORDERS**

The undersigned Defendants move this Court for the following relief and all other relief the Court deems necessary:

(1) Mr. Moore, Mr. DeWine, and Mr. LeBlanc, all counsel representing the plaintiffs in this MDL, and all those who have received information or documents pursuant to this Court's Orders, shall strictly comply with Rule 3.6 of the Ohio Rules of Professional Conduct and shall refrain from making any statements to the media or the public relating to any of the following subjects: (a) the character, credibility, or reputation of a party; (b) the strengths or weaknesses of any party's case; (c) any information the attorneys know or reasonably should know is likely to be inadmissible evidence and would create a substantial risk of prejudice if disclosed; and (d) the ARCOS data or any information produced in discovery in this action.

(2) Mr. Moore, Mr. DeWine, and Mr. LeBlanc shall be admonished for violating this Court's orders and the Court should impose appropriate sanctions to deter future violations.

(3) Mr. Moore, Mr. DeWine, and Mr. LeBlanc shall pay the defendants' attorneys' fees and costs incurred as a result of their misconduct.

(4) Pursuant to Local Rule 83.7(d)(1), this matter shall be referred to the Court's Committee on Complaints and Policy Compliance, with notification to the Clerk of Court, for investigation and the prosecution of a formal disciplinary proceeding or the formulation of such other recommendation as is appropriate.

(5) Mr. Moore, Mr. DeWine, and Mr. LeBlanc shall identify all counsel who were present for the taping of the *60 Minutes* segment or otherwise knowingly assisted, induced, or participated in the effort in any way.

This motion is supported by the attached Memorandum in Support of Motion for Relief Concerning Improper Extrajudicial Statements and Violations of Court Orders.

January 4, 2019

Respectfully submitted,

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